



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 22, 2014

The Honorable Loretta A. Preska
Chief United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

RECEIVED

APR 22 2014

Re: United States v. Mark Goldberg
12 Cr. 864 (LAP)

LORETTA A. PRESKA
CHIEF U.S. DISTRICT JUDGE
S.D.N.Y.

Dear Chief Judge Preska:

Pursuant to my conversation with defense counsel (Glenn Ripa, Esq.) and Your Honor's law clerk, we write to inform the Court that the sentencing hearing previously scheduled for May 13, 2014 at 10:00 a.m. will no longer be necessary, as the defendant is waiving the *Fatico* hearing that he previously had sought. Accordingly, there will be no factual disputes with respect to the contents of the Probation Department's Pre-sentence investigation report.

We write also to confirm, again pursuant to a discussion with Your Honor's law clerk, that the sentencing proceeding has been set down for June 10, 2014, at 2:00 p.m.

Finally, we write to advise the Court that defense counsel will serve and file his sentencing memo on or before May 27, 2014, and the Government will file its memo one week later, on June 3, 2014.

Respectfully submitted,

So ordered
Loretta A. Preska
USDS
April 22, 2014

cc: Glenn Ripa, Esq. (Counsel for defendant)
United States Probation

PREET BHARARA
United States Attorney
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